

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA

*

*

v.

*

Case No. 2:05-cr-119-MEF

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DON EUGENE SIEGELMAN

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MOTION TO FILE CORRECTED BRIEF

Comes now Defendant, GOVERNOR SIEGELMAN, by and through his undersigned counsel, and moves for leave to file a corrected brief in support of his Rule 29 Motion and as grounds therefor, states as follows:

1. The Court set Friday, August 4, 2006 as the deadline for Governor Siegelman to file his Supplemental Rule 29 briefs.

2. Because of multiple issues that needed to be addressed, Governor Siegelman's Supplemental Rule 29 briefs were a collaborative effort. However, Governor Siegelman's counsel use two different (and apparently incompatible) word processing programs. This caused numerous problems including: formatting errors, line spacing irregularities, and misplaced text and footnotes.

3. Counsel encountered further problems when converting the brief into PDF format for filing. Governor Siegelman's Supplemental Rule 29 brief regarding Counts Three and Five through Nine was timely filed, but it contains numerous errors, and, more importantly, the technical issues referenced above precluded counsel from conducting a final edit on the brief.

4. The government will not be prejudiced by granting Governor Siegelman leave to file this corrected brief. The proposed corrected brief is being filed within one business day of the Court's deadline, and the corrected brief much more clearly sets forth Governor Siegelman's

position.

WHEREFORE, the premises considered, Governor Siegelman requests leave of Court to file a corrected Rule 29 Supplemental Motion.

Respectfully submitted,

s/David A. McDonald

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CERTIFICATE OF SERVICE

I certify that on August 7, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to counsel of record.

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